

## **REMARKS**

### **Overview of the Office Action**

The drawings have been objected for allegedly not showing every recited element.

Claims 18 and 45 have been rejected under 35 U.S.C. §112, second paragraph, as indefinite.

Claims 1, 2, 12, 13, 28, 29, 39 and 40 have been rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,449,095 (“Ohtaki”) in view of U.S. Patent Pub. No. 2003/0185136 (“Kaiho”).

Claims 15 and 42 have been rejected under 35 U.S.C. §103(a) as unpatentable over Ohtaki and Kaiho, and further in view of U.S. Patent No. 6,807,019 (“Takeuchi”).

Claims 16 and 43 have been rejected under 35 U.S.C. §103(a) as unpatentable over Ohtaki and Kaiho, and further in view of U.S. Patent No. 6,597,519 (“Saito”).

Claims 20, 24, 25, 47, 51 and 52 have been rejected under 35 U.S.C. §103(a) as unpatentable over Ohtaki and Kaiho, and further in view of U.S. Patent Pub. No. 2001/0008513 (“Arai”).

Claim 55 has been rejected under 35 U.S.C. §103(a) as unpatentable over Ohtaki and Kaiho, and further in view of U.S. Patent Pub. No. 2002/0191528 (“Sugaya”).

Claims 18, 19, 45, and 46 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph and rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3-11, 14, 17, 21-23, 26, 27, 30-38, 41, 44, 48-50, 53, and 54 have been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

### Status of the claims

Claims 1, 2, 4, 7, 8, 12, 18, 28, 29, 31, 34, 35, 39, 45, and 55 have been amended.

Claims 21 and 48 have been canceled.

Claims 56-65 have been newly added.

Claims 1-20, 22-47, and 49-65 are now pending with claims 1, 28, and 58-65 being the only independent claims.

### Allowable subject matter

Claims 18, 19, 45, and 46 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3-11, 14, 17, 21-23, 26, 27, 30-38, 41, 44, 48-50, 53, and 54 have been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 18 and 45 have been amended to overcome the 35 U.S.C. §112, second paragraph, rejection and are described in further detail below

Independent claim 1 has been amended to include the allowable subject matter of allowable claim 21 and is therefore now allowable.

Independent claim 28 has been amended to include the allowable subject matter of claim 48 and is therefore now allowable.

Claims 3-11, 14, 17, 18, 19, 21-23, 26, 27, 30-38, 41, 44-46, 48-50, 53, and 54, which depend directly or indirectly from now allowable amended independent claims 1 and 28,

incorporate all of the limitations of the corresponding independent claim and are therefore also now allowable.

#### Objections to the Drawings

The Office Action states that the drawings have been objected to because they allegedly do not show the recited limitation “a supporting device” of claim 55.

Claim 55 has been amended to remove reference to “a supporting device”.

Applicant submits that this objection has now been overcome.

#### Claims 18 and 45 are patentable under 35 U.S.C. §112, second paragraph

The Office Action states the limitation “the single refractive lens” in claims 18 and 45 lacks sufficient antecedent basis.

Claims 18 and 45 have been amended to depend from claims 17 and 44, respectively, to provide sufficient antecedent basis.

Applicant submits that these rejections have now been overcome.

#### Claims 1, 2, 12, 13, 28, 29, 39 and 40 are allowable over Ohtaki and Kaiho under 35 U.S.C.

#### §103(a)

The Office Action states that the combination of Ohtaki and Kaiho teaches all of Applicant’s recited elements.

Independent claim 1 has been amended to include the allowable subject matter of claim 21 and is therefore now allowable over Ohtaki and Kaiho under 35 U.S.C. §103(a).

Independent claim 28 has been amended to include the allowable subject matter of claim 48 and is therefore now allowable over Ohtaki and Kaiho under 35 U.S.C. §103(a).

Claims 2, 12, 13, 29, 39 and 40, which depend directly or indirectly from independent claims 1 and 28, incorporate all of the limitations of the corresponding independent claim and are, therefore, deemed to be patentably distinct over Ohtaki and Kaiho for at least those reasons discussed above with respect to independent claims 1 and 28.

Claims 15 and 42 are allowable over Ohtaki, Kaiho, and Takeuchi under 35 U.S.C. §103(a)

The Office Action states that the combination of Ohtaki, Kaiho, and Takeuchi teaches all of the elements recited in Applicant's claims.

Independent claim 1 has been amended to include the allowable subject matter of allowable claim 21 and is therefore now allowable.

Independent claim 28 has been amended to include the allowable subject matter of claim 48 and is therefore now allowable.

Claims 15 and 42, which depend directly from now allowable amended independent claims 1 and 28, incorporate all of the limitations of the corresponding independent claim and are therefore also now allowable.

Claims 16 and 43 are allowable over Ohtaki, Kaiho, and Saito under 35 U.S.C. §103(a)

The Office Action states that the combination of Ohtaki, Kaiho, and Saito teaches all of the elements recited in Applicant's claims.

Independent claim 1 has been amended to include the allowable subject matter of allowable claim 21 and is therefore now allowable.

Independent claim 28 has been amended to include the allowable subject matter of claim 48 and is therefore now allowable.

Claims 16 and 43, which depend indirectly from now allowable amended independent claims 1 and 28, incorporate all of the limitations of the corresponding independent claim and are therefore also now allowable.

Claims 20, 24, 25, 47, 51 and 52 are allowable over Ohtaki, Kaiho, and Arai under 35 U.S.C.

§103(a)

The Office Action states that the combination of Ohtaki, Kaiho, and Arai teaches all of the elements recited in Applicant's claims.

Independent claim 1 has been amended to include the allowable subject matter of allowable claim 21 and is therefore now allowable.

Independent claim 28 has been amended to include the allowable subject matter of claim 48 and is therefore now allowable.

Claims 20, 24, 25, 47, 51 and 52, which depend directly or indirectly from now allowable amended independent claims 1 and 28, incorporate all of the limitations of the corresponding independent claim and are therefore also now allowable.

Claim 55 is allowable over Ohtaki, Kaiho, and Sugaya under 35 U.S.C. §103(a)

The Office Action states that the combination of Ohtaki, Kaiho, and Sugaya teach all of Applicant's recited elements.

Independent claim 55 includes the subject matter of now allowable claim 28, and is therefore also now allowable.

#### Newly added claims 56-65

Claim 56-65 have been newly added. Support for claims 56 and 57 can be found at least on page 28, lines 13-15 of the original-filed specification. Support for claim 58 can be found at least in original claim 1 and allowable claim 3. Support for claim 59 can be found at least in original claim 1 and allowable claim 7. Support for claim 60 can be found at least in original claim 1 and allowable claim 23. Support for claim 61 can be found at least in original claim 1 and allowable claim 26. Support for claim 62 can be found at least in original claim 28 and allowable claim 30. Support for claim 63 can be found at least in original claim 28 and allowable claim 34. Support for claim 64 can be found at least in original claim 28 and allowable claim 50. Support for claim 65 can be found at least in original claim 28 and allowable claim 53.

The dependent claims 56-57 are allowable for the same reasons as independent claims 1 and 28, as well as for the reasons of the additional recitations contained therein.

New independent claims 58-65 are each allowable as incorporating subject matter found to be allowable by the Examiner, as described above.

As stated on page 2 of this communication, the enclosed check includes the amount of \$1,400.00 in payment of the government fee for seven (7) new independent claims in excess of three (3) and the amount \$400.00 in payment of the government fee for eight (8) total new claims in excess of 20.

Conclusion


In view of the foregoing, reconsideration and withdrawal of all rejections, and allowance of all pending claims is respectfully solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

Respectfully submitted,

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